

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11045-GAO

MICHAEL BAEZ, *Pro Se*  
Plaintiff, )  
 )  
v. )  
 )  
MICHAEL T. MALONEY, et al., )  
Defendants. )  
 )

**DEFENDANTS' EMERGENCY**  
**MOTION FOR RECONSIDERATION OF ORDER**  
**REQUIRING IN-PERSON MEETING BETWEEN PRO SE PRISONER AND**  
**DEFENDANTS' COUNSEL**

Defendants, by counsel, respectfully request that this Court reconsider and vacate its order that the counsel for the defendants meet in person **by February 22, 2007** in advance of the March 8, 2007 motion on the plaintiff's motion to compel. As grounds, the defendants state that they have also filed a motion requesting waiver from the requirements of Local Rules 7.1(A)(2) and 37.1, for all motions which may be filed in this matter. As reasons, the defendants state that the plaintiff is a *pro se* prisoner and any attempt to confer with him for any purpose, including motions to compel discovery, who is being held in the most restrictive segregated confinement at the maximum security prison, MCI-Cedar Junction, would be unduly burdensome and serve no useful purpose. Moreover, as a DDU inmate Baez is prohibited by policies and procedures from having contact meetings. In addition, by its terms, Local Rule 37.1 applies to counsel and not to the parties. Finally, the only documents not provided to the plaintiff in response to his discovery requests, interior photographs of the other maximum security prison and personal information on public

safety employees are protected by M.G.L. c. 4, §7, and are the subject of a defendants' motion for a protective order to be filed next week.

The defendants therefore respectfully request that the Court vacate its January 9, 2007 order for a meeting on or before February 22, 2007.

Respectfully submitted,

Date: January 25, 2007

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Special Assistant Attorney General  
/s/ Margaret Melville  
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**CERTIFICATE OF SERVICE**

I, Margaret Melville, certify that on this day, I have served the plaintiff *pro se* in the above-entitled action with a true and accurate copy of the foregoing at his address of record, by First Class Mail, postage prepaid.

January 25, 2007

/s/ Margaret Melville  
Margaret Melville